

AN ACT relating to governmental operations, making an appropriation therefor, and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

Section 1. KRS 13B.020 is amended to read as follows:

(1) The provisions of this chapter shall apply to all administrative hearings conducted by an agency, with the exception of those specifically exempted under this section. The provisions of this chapter shall supersede any other provisions of the Kentucky Revised Statutes and administrative regulations, unless exempted under this section, to the extent these other provisions are duplicative or in conflict. This chapter creates only procedural rights and shall not be construed to confer upon any person a right to hearing not expressly provided by law.

(2) The provisions of this chapter shall not apply to:

- (a) Investigations, hearings to determine probable cause, or any other type of information gathering or fact finding activities;
- (b) Public hearings required in KRS Chapter 13A for the promulgation of administrative regulations;
- (c) Any other public hearing conducted by an administrative agency which is nonadjudicatory in nature and the primary purpose of which is to seek public input on public policy making;
- (d) Military adjudicatory proceedings conducted in accordance with KRS Chapter 35;
- (e) Administrative hearings conducted by the legislative and judicial branches of state government;
- (f) Administrative hearings conducted by any city, county, urban-county, charter county, or special district contained in KRS Chapters 65 to 109, or any other unit of local government operating strictly in a local jurisdictional capacity;

of 2006 Regular Session HB 380/EN.

Section 92. On page 555 of 2006 Regular Session HB 380/EN, after line 22, insert the following:

b. An amount up to \$800,000 shall be allowed as a necessary government expense for use allowance, operating allowance, or furnishings if the Pendleton County Courthouse is completed during the biennium.

Section 93. The Reviser of Statutes shall have the authority to make appropriate changes or addenda to the Conference Budget Report for 2006 Regular Session House Bill 380/FCCR, which is made a part of 2006 Regular Session House Joint Resolution 93 by Section 5 of that Act, to reflect any funds transfers, alterations, or amendments to the provisions of 2006 Regular Session House Bill 380 in this Act.

Section 94. The following KRS section is repealed:

138.500 Payment of excise tax under protest -- Actions to recover tax paid -
Refund.

Section 95. Whereas Sections 14 to 93 of this Act amend 2006 Regular Session HB 380/EN, which takes effect upon passage and approval by the Governor or upon otherwise becoming law, an emergency is declared to exist, and Sections 14 to 93 of this Act take effect upon passage and approval by the Governor or upon otherwise becoming law.